

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2140

December 16, 2011

SUMMARY OF BILL: Requires legislation to contain express language creating or conferring a private right of action or imposing an affirmative duty of care before the right or duty will exist. Reserves the ability of a court to create or confer, in the absence of a controlling statute, a private right of action or impose an affirmative duty of care if based on common law, and to impute negligence or unlawful conduct based on a party's violation of a statute.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumption:

- Requiring express statutory language creating a private right of action or imposing an affirmative duty of care before one would exist will not result in a fiscal impact to the state trial or appellate courts.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/jdh